

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

A new Abstract believed to be in more proper format under United States practice is submitted herein.

Addressing the statement on page 2 of the Office Action that the Information Disclosure Statement (IDS) filed March 29, 2006 was improper, that statement is not understood. First, applicants note no indication is made as to why that IDS was improper. Further, applicant respectfully submits the IDS filed March 29, 2006 was proper and complied with all provisions under 37 C.F.R. §1.98(a)(1). Applicant also notes the form PTO-1449 for that IDS was returned in the outstanding Office Action, but apparently did not properly initial references AO and AW. Applicant respectfully requests that a new form PTO-1449 be provided to applicant properly acknowledging consideration of references AO and AW cited on the noted PTO-1449.

Claims 1-9, 11-20, 23, and 24 are pending in this application. Claims 10, 21, and 22 are rejected by the present response without prejudice.

Claims 10, 21, and 22 were rejected under 35 U.S.C. §101, which rejection is now moot in view of the cancellation of those claims. Claims 10 and 11 were rejected under 35 U.S.C. §112, second paragraph. Claims 1, 4, 8, 10-12, 15, 19, and 21-24 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. patent 6,859,832 to Gecht et al. (herein "Gecht"). Claims 2-3 and 13-14 were rejected under 35 U.S.C. §103(a) as unpatentable over Gecht in view of U.S. patent 6,424,429 to Takahashi et al. (herein "Takahashi") in view of U.S. patent 6,535,716 to Reichman et al. (herein "Reichman"). Claims 2-3 and 13-14 were rejected under 35 U.S.C. §103(a) as unpatentable over Gecht in view of U.S. patent publication 2002/0059176 to Fujisawa in view of Reichman. Claims 5 and 16 were rejected under 35 U.S.C. §103(a) as unpatentable over Gecht. Claims 6-7 and 17-18 were rejected under 35

U.S.C. §103(a) as unpatentable over Gecht in view of U.S. patent application publication 2001/0056485 to Barrett, Jr. et al. (herein "Barrett"). Claims 9 and 20 were rejected under 35 U.S.C. §103(a) as unpatentable over Gecht in view of U.S. patent application publication 2002/0194307 to Anderson et al. (herein "Anderson").

Addressing first the rejection of Claims 10 and 11 under 35 U.S.C. §112, second paragraph, that rejection is traversed by the present response. Claim 10 is canceled by the present response without prejudice and claim 11 does not recite the language noted as unclear. Specifically, claim 11 is not directed to "computer program", and claim 11 is believed to be clear as directed to a "computer readable storing medium", and thus claim 11 is believed to be proper under 35 U.S.C. §112, second paragraph.

Addressing now the prior art rejections, those rejections are traversed by the present response as discussed next.

Each prior art rejection relies on Gecht to either meet all the claim limitations or as a primary reference for each rejection. Applicant respectfully submits the claims as written distinguish over the cited art, and particularly as to how Gecht was applied against the claims.

The claims are amended by the present response to clarify features recited therein. Specifically, independent claim 1 now clarifies that the management mediating device can respond to a received command from a management system "to obtain data indicating a usage state of an image forming apparatus in a local area", and further reciting "transferring the data to the management system". Those claimed features are noted in the present specification at, for example, page 48, lines 6-21. The other independent claims are similarly amended as in independent claim 1 noted above.

According to such claimed features, a management mediating device that connects to a management system can provide to the management systems data of a usage state of an

image forming apparatus in a local area. Gecht is not believed to disclose or suggest such features.

Gecht is directed to enabling a user to obtain print jobs at an unspecified location that may be remote from the source of a print job. Gecht further discloses that a printer polling device can poll a spooling server via a network to identify whether any print jobs associated with the printer polling device are available for printing at an associated printer, and Gecht discloses that the spooling server need not initiate contact with the printer through a fire wall since it is polled by the printer polling device.¹

Gecht also specifically discloses an operation in which a printer polling device 100 can poll a spooling server 50 to check if the queue for printer 120 contains any print jobs, and if affirmative the print job can be transmitted to the printer polling device 100.² Such disclosures in Gecht, however, are completely unrelated to the claimed features in which a processing device of a management mediating device can “obtain data indicating a usage state of an image forming apparatus in a local area”, and further can “transfer the data to the management system”.

In fact Gecht at column 10, lines 23-45, cited in the Office Action as corresponding to the claimed “processing means” and “management object system communication means”, merely discloses a polling device 100 transmitting data from the outside to a spooling server 50, which then checks the queue for a printer 120. Gecht does not even disclose or suggest the transmission of data from the printer to a management system. Thereby, Gecht does not disclose any elements such as the claimed “management mediating device” that obtains data of an image forming apparatus and transmits that data to a management system.

In view of the present response, applicant respectfully submits the claims as written clearly distinguish over Gecht.

¹ See the Abstract of Gecht.

² Gecht at column 10, lines 39-45.

Moreover, no disclosures in the further secondary cited references to Takahashi, Reichman, Fujisawa, Barrett, or Anderson was cited with respect to the above-noted features in the amended claims, nor are any teachings in those further secondary references believed to cure the above-discussed deficiencies in Gecht.

Thereby, the claims as currently written are believed to distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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